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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,539	11/07/2000	Alistair K C Scott	10010022	9792
22878	7590	10/29/2003	EXAMINER	
AGILENT TECHNOLOGIES, INC. INTELLECTUAL PROPERTY ADMINISTRATION, LEGAL DEPT. P.O. BOX 7599 M/S DL429 LOVELAND, CO 80537-0599			TRAN, QUOC DUC	
			ART UNIT	PAPER NUMBER
			2643	
			DATE MAILED: 10/29/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/707,539

Applicant(s)

SCOTT ET AL.

Examiner

Quoc D Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-18 is/are rejected.
- 7) ☒ Claim(s) 9, 10, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to because lack of descriptive legends in at least the major elements of the figure. For example, numeral 140 should be labeled as “transfer points”; numeral 105 should be labeled as “calling station”, and etc. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-8 and 11-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Peschel et al (6,385,444).

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Consider claim 1, Peschel et al teach a computer operable method for correlating call data records in a telephone system, comprising the steps of selecting a first and second call records, providing the call records comprise call characteristic information created in the telephone system and providing the call records identify same called station; and establishing whether first and second call records are correlated (col. 6 lines 8-51; col. 7 lines 47-59).

Consider claim 2, Peschel et al teach a computer operable method providing selected first and second call records arrive at a central data repository within a first time difference (col. 6 lines 26-33; col. 8 lines 14-37).

Consider claim 3, Peschel et al teach a computer operable providing when an originating point code of first and second call records is used to establish whether the call records are correlated, wherein the originating point code identifies an origination signaling transfer point having capability of transferring call set-up messages between two signaling path segments, the method step for establishing whether the first and second call records are correlated comprises: when the originating point codes of first and second call records are different, identifying first and second call records as uncorrelated; otherwise, identifying first and second call records as correlated (col. 7 line 30 – col. 9 line 23).

Consider claim 4, Peschel et al teach a computer operable method providing when a destination point code of first and second call records is used to establish whether the call records are correlated, wherein the destination point code identifies a destination signaling transfer point having capability of transferring call set-up messages between two signaling path segments, the method step for establishing whether the first and second call records are correlated comprises: when the destination point codes of first and second call records are different, identifying first

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and second call records as uncorrelated; otherwise, identifying first and second call records as correlated (col. 7 line 30 – col. 9 line 23).

Consider claim 5, Peschel et al teach a computer operable method providing first and second call data records are members of a group of call data records whose arrival at the central data repository was after a first preselected time and before a second preselected time (col. 7 lines 50-65).

Consider claim 6, Peschel et al teach a computer operable method providing first and second call data records are members of a group of call data records whose called numbers have an identical value in at least one preselected digit position (col. 7 line 50 – col. 8 line 13).

Consider claim 7, Peschel et al teach a computer operable method steps further comprising: when the first and second data records are identified as correlated, copying at least one data field from the first data record to the second data record (col. 8 lines 18-26; col. 9 lines 14-23).

Consider claim 8, Peschel et al teach a computer operable method steps further comprising: when the first and second data records are identified as correlated, copying at least one data field from the second data record to the first data record (col. 8 lines 18-26; col. 9 lines 14-23).

Consider claim 11, Peschel et al teach a computer program storage medium readable by a computer, tangibly embodying a computer program of instructions executable by the computer to perform method steps for correlating call data records in a telephone system, the steps comprising: selecting a first and second call records, providing the call records comprise call characteristic information created in the telephone system and providing the call records identify

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same called station; and establishing whether first and second call records are correlated (col. 6 lines 8-51; col. 7 lines 47-59).

Consider claim 12, Peschel et al teach a computer program storage medium wherein selected first and second call records arrive at a central data repository within a first time difference (col. 6 lines 26-33; col. 8 lines 14-37).

Consider claim 13, Peschel et al teach a computer program storage medium wherein when an originating point code of first and second call records is used to establish whether the call records are correlated, wherein the originating point code identifies an origination signaling transfer point having capability of transferring call set-up messages between two signaling path segments, the method step for establishing whether the first and second call records are correlated comprising: when the originating point codes of first and second call records are different, identifying first and second call records as uncorrelated; otherwise, identifying first and second call records as correlated (col. 7 line 30 – col. 9 line 23).

Consider claim 14, Peschel et al teach a computer program storage medium wherein when a destination point code of first and second call records is used to establish whether the call records are correlated, wherein the destination point code identifies a destination signaling transfer point having capability of transferring call set-up messages between two signaling path segments, the method step for establishing whether the first and second call records are correlated comprising: when the destination point codes of first and second call records are different, identifying first and second call records as uncorrelated; otherwise, identifying first and second call records as correlated (col. 7 line 30 – col. 9 line 23).

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Consider claim 15, Peschel et al teach a computer program storage medium wherein first and second call data records are members of a group of call data records whose arrival at the central data repository was after a first preselected time and before a second preselected time (col. 7 lines 50-65).

Consider claim 16, Peschel et al teach a computer program storage medium wherein first and second call data records are members of a group of call data records whose called numbers have an identical value in at least one preselected digit position (col. 7 line 50 – col. 8 line 13).

Consider claim 17, Peschel et al teach a computer program storage medium method steps further comprising: when the first and second data records are identified as correlated, copying at least one data field from the first data record to the second data record (col. 8 lines 18-26; col. 9 lines 14-23).

Consider claim 18, Peschel et al teach a computer program storage medium method steps further comprising: when the first and second data records are identified as correlated, copying at least one data field from the second data record to the first data record (col. 8 lines 18-26; col. 9 lines 14-23).

Allowable Subject Matter

4. Claims 9-10 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Facsimile responses should be faxed to:

(703) 872-9314

Hand-delivered responses should be brought to:

Crystal Park II, 2121 Crystal Drive

Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.



Quoc D. Tran

Patent Examiner AU 2643

October 20, 2003